

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
PAUL S. COWIE, Cal. Bar No. 250131
pcowie@sheppardmullin.com
379 Lytton Ave.
Palo Alto, California 94301
Telephone: 650.815.2600 Facsimile: 650.815.2601

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
JOHN D. ELLIS Cal. Bar No. 269221
jellis@sheppardmullin.com
CORINNE K. HAYS Cal. Bar No. 248576
chays@sheppardmullin.com
Four Embarcadero Center, 17th Floor
San Francisco, California 94111-4109
Telephone: 415.434.9100 Facsimile: 415.434.3947

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
ROBERT MUSSIG, Cal. Bar No. 240369
rmussig@sheppardmullin.com
333 South Hope Street, 43rd Floor
Los Angeles, California 90071-1422
Telephone: 213.620.1780 Facsimile: 213.620.1398

Attorneys for Defendants SWIFT TRANSPORTATION CO.
OF ARIZONA, LLC, and SWIFT TRANSPORTATION COMPANY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JOHN BURNELL, et. al,
Plaintiffs,
v.
SWIFT TRANSPORTATION
COMPANY OF ARIZONA, LLC, et al.
Defendants

Case No. 5:10-cv-00809-VAP-OP; and
Case No. 5:12-cv-00692 VAP OP

Hon. Virginia A. Phillips

**DECLARATION OF JAMES
RUDSELL IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
THE PARTIES' CLASS ACTION
SETTLEMENT**

Date of Hearing: August 12, 2009
Time: 2:30 p.m.
Room: 8A – First Street

JAMES R. RUDSELL,
Plaintiff

V.

**SWIFT TRANSPORTATION
COMPANY OF ARIZONA, LLC**

1 I, James Rudsell hereby declare and state:

2 1. I am an individual over the age of eighteen. I am a named plaintiff in this
3 lawsuit. I have personal knowledge of the matters stated herein and, if called upon, I
4 could and would competently testify thereto.

5 2. I worked as a driver for Defendant Swift Transportation Company of
6 Arizona, LLC ('Swift') from June 2011 through approximately October 2011. I earned
7 mileage based pay for my work during most the time I worked for Swift. I lived in
8 California during the entire time I worked for Swift.

9 3. I understand that I am a named plaintiff and proposed class representative in
10 this lawsuit. I understand that as a representative plaintiff, I will represent a class of other
11 drivers who were employed by Swift to perform work in California and earned mileage
12 based pay.

13 4. I understand that my lawsuit has been consolidated with another lawsuit
14 filed by another former Swift driver named Gilbert Saucillo and that the consolidated case
15 alleges that Swift drivers, including Mr. Saucillo and I, were not paid for all of our
16 worktime, were not provided meal and rest breaks, were not reimbursed for work-related
17 expenses, were not paid timely paid final wages, and were not provided accurate wage
18 statements.

19 5. To my knowledge, there are no conflicts which exist between my interests in
20 this case and the interests of the other drivers I will represent that would impair my
21 ability to serve as a representative.

22 6. I have been an active participant in this case and have assisted in the
23 investigation of this case. I have provided documents to my attorneys and have assisted
24 in preparing filings and gathering facts.

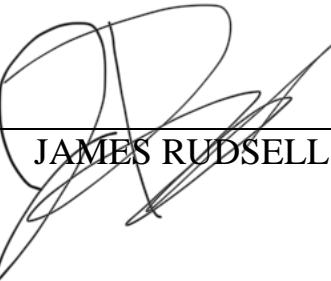
25 7. I understand my duties and responsibilities to the proposed class. Before
26 signing the settlement agreement with Swift, I reviewed the agreement with my lawyers
27 and understand that it provides for at least \$4,273,333.33 to be paid to Swift drivers,
28 which I believe to be a fair and adequate result. I have not been promised any

1 compensation other than my proportionate share of the settlement money and a \$5,000
2 incentive award for my work on this case.

3 I declare under penalty of perjury under the laws of the United States of America
4 that the foregoing is true and correct.
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Roseburg Or 97471

6 Executed this 27th day of July, 2019 at _____
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JAMES RUDSELL

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